



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

JUL 22 2014

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mr. John Davis
Post Office Box 10152
Marina Del Rey, California 90295

Dear Mr. Davis:

I am responding on behalf of the U.S. Environmental Protection Agency (EPA) Administrator McCarthy to your e-mail dated June 30, 2014 regarding the Santa Monica Bay National Estuary Program (NEP).

As you know, our June 27, 2014 correspondence outlined the Agency's position regarding your concerns about stakeholder participation in the Santa Monica Bay NEP on-site visit and the financing of the NEP under section 320 of the Clean Water Act. Specifically, EPA determined that the Program Evaluation Guidance (guidance) was followed in conducting the site visit and that the Santa Monica Bay Restoration Foundation is eligible to receive Section 320 grants. Because your June 30, 2014 email reflects your continued concern about these issues, we are providing the following additional information.

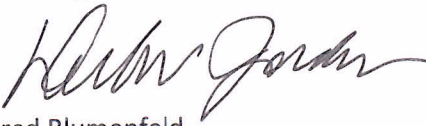
On-Site Program Evaluation Visit (June 10-11, 2014): You expressed concern that the Sierra Club was excluded from the on-site visit. The Program Evaluation (PE) is a review of an NEP managed by U.S. EPA Headquarters to determine whether adequate progress is being made implementing the Comprehensive Conservation and Management Plan (CCMP). Participants in the PE include EPA Headquarters staff, EPA Regional staff, and NEP staff. The PE on-site review is not a public process and does not require public notice or solicitation of involvement from individuals and organizations in an NEP study area. Stakeholder involvement is often limited during on-site PE visits. The available time for the Santa Monica Bay NEP on-site visit allowed for EPA staff to meet with members of the Governing Board and Friends of the Ballona Wetlands. The PE participants are aware of your concerns regarding the financing of the Santa Monica NEP.

EPA agrees that stakeholder involvement in an NEP is important. Each NEP has a CCMP that has been developed through a comprehensive stakeholder-driven process characterized by input from many diverse organizations. In the case of the Santa Monica Bay NEP, the Watershed Advisory Council, of which the Angeles Chapter of the Sierra Club is a member, is the forum for stakeholder input and participation.

Section 320 Grant Recipients: You also expressed concern about the grant recipient of the Section 320 funding for the Santa Monica Bay NEP. The Santa Monica Bay Restoration Foundation (Foundation) is the current grant recipient. The Foundation is a non-profit organization and is therefore an authorized recipient of Section 320 funds. The current grant agreement between EPA and the Foundation is consistent with Section 320 of the CWA. The EPA contract #68-03-3319 cited in your email refers to a contract between EPA and Battelle Ocean Sciences to prepare a report entitled "1989 Final Report on the Five Year Workplan for the Santa Monica Bay Restoration", not a contract with the State of California.

EPA Region 9 has coordinated this response with our Headquarters and believes we have addressed the concerns you have raised in regard to the Santa Monica Bay NEP. If you have any further questions on this matter, please contact Sam Ziegler, Chief of Watersheds Office at (415) 972-3399.

Sincerely,


for Jared Blumenfeld

cc: George Watland, Senior Chapter Director, Angeles Chapter Sierra Club